

IMPORTANT CORRESPONDENCE RELATING TO TRANSFER OF POWER

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IMPORTANT CORRESPONDENCE RELATING TO TRANSFER OF POWER

*** Note by Sir S. Cripps**

LIP & J11014 : ff 51-2

INTERVIEW WITH DR. AMBEDKAR AND MR. RAJAH,
REPRESENTING THE DEPRESSED CLASSES

30th March 1942

After telling me about the conditions of the Depressed Classes, particularly in Madras and Bombay, they then went on to point out that under the system of election they would have a very small representation only in the constituent assembly, as most of their so-called representatives would be Congressmen, and that their position would therefore be very weak. They summed up the demands that they would make to the constituent assembly and then asked me whether we considered that they came within the racial and religious minorities, to which I answered yes, and what sort of provisions were likely to be made in the Treaty for their protection. I stated that these would probably be along the lines of the League of Nations minority treaties, and if already there were special provisions in the constitution these would probably be repeated in the Treaty, and there would be some obligation to refer the matter to some outside authority in cases of dispute, the Government of the Indian Union undertaking to abide by the decision so given, and that if they did not do so it would constitute a breach of Treaty, whereupon the British Government could take such steps as it considered wise in the particular circumstances. I stated that though this form of protection might no doubt seem to them inadequate, once granted the idea of self-government and self-determination for India, there was no other possible way by which we could intervene to protect any minority in India.

So far as the interim period was concerned, I pointed out that the probabilities were that some representative of the Depressed Classes would be asked to serve on the Executive Council at the Centre, and that one of the first tasks of that Council would no doubt be to make some temporary arrangements as regards the carrying on of the Provincial Governments.

Mr. Ambedkar expressed the view that they would demand to be treated as one of the major elements and to be taken into consultation by the Viceroy in the formation of the new Executive. I stated that this was not a matter for me; the Viceroy would exercise his own judgement as to whom he should consult in this matter.

Naturally they were not very happy about the whole situation, but I did not gather that they would oppose the scheme, since there was no other alternative under which they could get any greater measure of protection.

Dr. Ambedkar and Mr. Rajah to Sir S. Cripps

Cmd. 6350

1 April 1942

We told you when we met you on the 30th March that the proposals of His Majesty's Government relating to Constitutional development of India will not be acceptable to the Depressed Classes for the reasons which we placed before you at the interview. Since then We have had consultations with many

of the Depressed Classes' representatives in the various Provincial and Central Legislatures and all of them have unanimously endorsed the view we placed before you regarding the proposals.

We are all of us absolutely convinced that the proposals are calculated to do the greatest harm to the Depressed Classes and are sure to place them under an unmitigated system of Hindu rule. Any such result which takes us back to the black days of the ancient past will never be tolerated by us, and we are all determined to resist any such catastrophe befalling our people with all the means at our command.

We request you to convey to His Majesty's Government our deepest anxiety regarding the future of the Depressed Classes and to impress upon them that we must look upon it as breach of faith if His Majesty's Government should decide to force upon the Depressed Classes a Constitution to which they have not given their free and voluntary consent and which does not contain within itself all the provisions that are necessary for safeguarding their interests.

In the end we want to thank you for assuming us that you called us in our representative capacity and that His Majesty's Government did not regard the Depressed Classes as a minor party—points upon which some doubt had arisen in our mind and about which we asked you for a correct definition of our position.

Sir R. Lumley (Bombay) to the Marquess of Linlithgow (Extract)

MSS. EUR. F. 125156

CONFIDENTIAL

GOVT. HOUSE, BOMBAY,
24 April 1942

Report No. 104

1. *Reactions to the result of Sir Stafford Cripps' Mission.* As is always the case here, it is not easy to assess precisely the public reactions to the breakdown of the negotiations conducted by Sir Stafford Cripps. I am glad to say, however, that I do not notice any deterioration or any bitterness, with the exception, which I shall mention later. In fact, I am inclined to think that, as I hoped would be the case, the proposals, though they have failed, have produced a net gain, particularly in those quarters, which were formerly our most persistent opponents. From an informant whom I have usually found reliable, I learn that a very much better feeling exists amongst those who professed to have doubts about our ultimate intentions. The Draft Declaration has satisfied a great many of them on that point. I also hear that local informed Congress opinion was quite prepared to accept the provision of non-

accession, and considered it to be the only method so far put forward, with any prospects of success, for obtaining Muslim agreement to discussions about a future constitution. This view is said to find a good deal of support amongst local Congress people, although it has not been declared openly, and all nationalist newspapers condemn the proposals mainly on the ground that they would vivisect India.

There have been no public declarations by Muslims here, but most Muslim newspapers appear to be well satisfied with the result of the negotiations on the ground, first, that they have not been let down, as they feared, and secondly, that the negotiations cannot have failed to have opened the eyes of the British Government to the fact that it is Congress intransigence which is the real obstacle. Parsees, I am told, are generally relieved that, for a time at any rate, Congress will not regain power.

The exception to which I have referred is Ambedkar. He came to see me to discuss the establishment of the National War Front, and although he has, with no enthusiasm, agreed to give it some support, he took the opportunity to let off to me some very bitter steam about the Draft Declaration. He said that he had been as good as told that Congress and the Muslim League were the only bodies which counted, and that if they agreed to the proposals, it would not matter what he or the Depressed Classes thought about them. He professed to be bitterly disillusioned and to feel humiliated. He declared that the proposals went back on the August Declaration, and that, with the example of the Irish Treaty before him, the suggestion that minorities could be safeguarded by means of a treaty was a very poor joke. How, he asked, could he and his friends be expected to continue their support of Government if they were to be let down in this way? He had thought of resigning from the National Defence Council but had decided to carry on for the time being, but he could not be expected to show any enthusiasm in support of Government. I reasoned with him as best I could, but I fear made little impression upon him. This mood of disgruntlement has been noticeable in Ambedkar for a long time— certainly since he was not taken in to the expansion of your Executive Council, as he had hoped. He will, I expect, succeed in obtaining some support for his views amongst his followers in this Province, for he is the only individual amongst them who is capable of thinking for them. Nevertheless, I feel pretty sure that this disgruntlement is largely a personal matter. As you know, his own financial position has been worrying him for some time. I have reason to believe that he owes money to certain people who have helped him in the past, and that he is unable to pay any of it back, and is even rather rude if they mention the subject. As you know, too, he has been for some time, anxious to obtain position in the High Court or elsewhere, in which he could

have a chance of providing for his own future. He has given me, for some time, the impression of a man who is no longer really interested in the work he is doing for his own followers, and is anxious to reach a different sphere. He is inclined, unfortunately, to attribute the difficulties of his own position to influences at work against him because he is a member of the Depressed Classes, and from that it is an easy step to the belief that we do not concern ourselves about him unduly because we do not think it worth-while to secure the support of the Depressed Classes. I would very much like to see something done for him, and I hope that, if a further expansion of your Council is now possible, he will be included,—not on personal grounds alone, but so that we may retain the interest of the Depressed Classes. He has been unhelpful about recruitment of Mahars, and does not put his weight behind it overmuch, in spite of the fact that he has long clamoured for Mahars being taken into combatant units. Nevertheless, the recruitment of Mahars continues, but not as well as it would do if he were really keen to help.

Apart from the bitterness displayed by Ambedkar, I think that the failure of Cripps' negotiations has left us in no worse position, and the net result is probably some gain.

Cripps Proposals

Text of Constitutional Proposals

MADE BY

The Right Honourable Sir Stafford Cripps

His Majesty's Government, having considered the anxieties expressed in this country and India, as to the fulfilment of promises made in regard to the future of India, have decided to lay down in precise and clear terms the steps which there-upon shall be taken for earliest possible realisation of self-government in India. The object is the creation of a new Indian Union which shall constitute a Dominion associated with the United Kingdom and other Dominions by common allegiance to the Crown but equal to them in every respect, in no way subordinate in any aspect of its domestic and external affairs.

His Majesty's Government therefore makes the following declaration :—

(a) Immediately upon cessation of hostilities steps shall be taken to set up in India in the manner described hereafter an elected body charged with the task of framing new constitution for India.

(b) Provision shall be made as set out below for participation of Indian States in the constitution making body.

(c) His Majesty's Government undertakes to accept and implement forthwith the constitution so framed subject only to :—

(1) Right of any province in British India that is not prepared to accept the

new constitution to retain its present constitutional position, provision being made for its subsequent accession, if it so decides with such non-acceding provinces. Should they so desire, His Majesty's Government will be prepared to agree upon the new constitution giving them the same full status as Indian Union and arrived at by procedure analogous to that here laid down.

(2) Signing of treaty, which shall be negotiated between His Majesty's Government and the constitution-making body. This treaty will cover all necessary matters arising out of complete transfer of responsibility from British to Indian hands; it will make provision in accordance with the undertakings given by His Majesty's Government for protection of racial and religious minorities: But will not impose any restriction on power of Indian union to decide in future its relationship to other member states of British Commonwealth. Whether or not an Indian State elects to adhere to the constitution it will be necessary to negotiate revision of its treaty arrangements so far as they may be required in the new situation.

(d) Constitution making body shall be composed as follows unless leaders of Indian opinion in principal communities agree upon some other form before the end of hostilities. Immediately upon the result being known of provincial elections which will be necessary at the end of the hostilities, entire membership of lower houses of provincial legislatures shall as single electoral college proceed to the election of constitution making body by system of proportional representation. This new body shall be in number about one-tenth of the number of electoral colleges. Indian States shall be invited to appoint representatives in the same proportion to their total population as in the case of representatives of British India as a whole and with same powers as the British Indian members.

(e) During critical period which now faces India and until the new constitution can be framed, His Majesty's Government must inevitably bear responsibility for and retain control and direction of Defence of India as part of their world war effort, but the task to organise the full military, moral and material resources of India must be the responsibility of the Government of India with co-operation of peoples of India. His Majesty's Government desires and invites immediate and effective participation of leaders of principal sections of Indian people in counsel of their country, of Commonwealth and of United Nations. Thus they will be enabled to give their active and constructive help in discharge of the task which is vital and essential for the future freedom of India.

Statement of Dr. Ambedkar on the Cripps Proposals

Dr. B. R. Ambedkar : M.L.A., Leader of the Depressed Classes in a Statement to the Press, said :—

" The War cabinet's proposals show a sudden *volt face* on the part of His Majesty's Government. The putting forth of these proposals, which were denounced by them as an invasion of minority rights, is an indication of their complete surrender of right to win might. This is Munich mentality, the essence of which is to save oneself by sacrificing others, and it is this mentality which is writ large on these proposals. It is reported that the American and English people are annoyed at Indians not welcoming the proposals, of His Majesty's Government relating to the constitutional advancement of India and thereby allowing the mission of Sir Stafford Cripps to fail. One can forgive the Americans for their attitude, but surely the English people and Sir Stafford Cripps ought to know better. It does not seem to have been sufficiently realised that the proposals of His Majesty's Government now put forth as the best are the very proposals which have been rejected and condemned by His Majesty's Government as the worst only a few months previously. Those who realise this cannot but help saying that this is the ugliest part of the whole business of constitutional advance, which His Majesty's Government is now rushing to undertake. The proposals fall into three parts :—

(1) There is to be a Constituent Assembly with a right to frame the constitution for India. This Assembly is to have the fullest power to frame such constitution as the majority in the Assembly may choose to decide.

(2) The new constitution is not to include all the present Provinces of India but only such Provinces as may be willing to be bound by it. For this the Provinces have been given a right to decide whether they shall join the new constitution or stay out of it. This is left to be done by a plebiscite in which a bare majority is declared enough to decide the issue.

(3) The Constituent Assembly shall be required to enter into a treaty with the British Government. The treaty is to contain provisions for the safety and security of racial and religious minorities. After such a treaty is signed the British Government is to withdraw its sovereignty and the constitution framed by the Constituent Assembly is to come into operation. Such in brief outline is the scheme of His Majesty's Government. The proposal regarding Constituent Assembly is not a new proposal. It was put forth by the Congress when the war broke out and what is important is that this proposal of the Congress was rejected by His Majesty's Government. This is what Mr. Amery said in the House of Commons on August 14, 1940, regarding Constituent Assembly :—

" Congress leaders..'.... have built up a remarkable organisation the most efficient political machine in India..... If only they had succeeded, if the Congress could, in fact speak, as it professes to speak, for all the main elements in India's national life, then however advanced their demands our

problem would have been in many respects far easier than it is today. It is true that they are numerically the largest single party in British India, but their claim in virtue of the fact to speak for India is utterly denied by very important elements in India's complex national life. These others assert their right to be regarded not as mere numerical minorities but as separate constituent factors in any future Indian policy. The foremost among these elements stands the great Muslim community. They will have nothing to do with a constitution framed by a Constituent Assembly elected by a majority vote in geographical constituencies. They claim the right in any constitutional discussions to be regarded as an entity and are determined only to accept a constitution whose actual structure will secure their position as an entity against the operations of a mere numerical majority. The same applies to the great body of what are known as the Scheduled Castes who feel that in spite of Mr. Gandhi's earnest endeavours on their behalf, that, as a community, they stand outside the main body of the Hindu community which is represented by the Congress." This statement was made by Mr. Amery when he was elucidating the announcement made by the Viceroy on 8th August 1940 in which the following pledge was given to the minorities, on behalf of His Majesty's Government. The Viceroy Said : " There are two main points which have emerged. On these two points His Majesty's Government now desire me to make their position clear. The first is as to the position of the minorities in relation to any future constitutional scheme..... It goes without saying that they (H. M. Government) could not contemplate the transfer of their present responsibilities for the peace and welfare of India to any system of Government whose authority is directly denied by large and powerful elements in India's national life. Nor could they be parties to the coercion of such elements into submission to such a Government," Again on the 23rd April 1941, Mr. Amery referred to the demand of the constituent assembly and expressed himself in the following terms: " India's future constitution should be devised by Indians for themselves and not by the British Government. India's future constitution should be essentially an Indian constitution, framed in accordance with the Indian conception of Indian conditions and Indian needs. The only essential condition is that the constitution itself and the body which is to frame it must be the outcome of agreement between principal elements in India's national life." Such were the views expressed and pledges given by His Majesty's Government regarding Constituent Assembly, which is now conceded. Regarding the demand for Pakistan it was a demand put forward by the Muslim League. This demand was also rejected by His Majesty's Government. This is what Mr. Amery said in regard to it in the House of Commons on August 1, 1940.

" This reaction against the dangers of what is called the Congress Raj or Hindu Raj has gone so far as to lead to a growing demand from Muslim quarters for a complete breaking up of India into separate Hindu and Muslim dominions. I need say nothing to day of the manifold and to my mind, insuperable objections to such a scheme, at any rate in its extreme form. I would only note that it merely shifts the problem of permanent minorities to some-what smaller areas, without solving it."

Again on April 23, 1941 he referred to it in his speech in the House of Commons and spoke about it in the following terms:—

" I am not concerned here to discuss the immense practical difficulties in the way of this so called Pakistan project nor need I go back to the dismal record of India's history in the 18th century or to the disastrous experience of the Balkan countries before our eyes today in order to point out the terrible dangers inherent in any break up of the essential unity of India, at any rate in its relation I to the outside world. After all, there is no British achievement in I India of which we have reason to be proud than the unity..... we have given her."

Such were the views of His Majesty's Government only a year ago regarding Constituent Assembly and Pakistan.

It is quite obvious that the proposal for a Constituent Assembly is intended to win over the Congress, while the proposal for Pakistan is designed to win over the Muslim League. How do the proposals deal with the Depressed Classes ? To put it shortly, they are bound hand and foot and handed over to the Caste Hindus. They offer them nothing, stone instead of bread. For the Constituent Assembly is nothing short of a betrayal of the Depressed Classes. There can be no doubt as to what the position of the Depressed Classes will be in the Constituent Assembly nor can there be any doubt regarding the political program of the Constituent Assembly. In the Constituent Assembly there may be no representatives of the Depressed Classes at all because no communal quotas are fixed by these proposals. If they are there they cannot have a free, independent and decisive vote. In the first place the representatives of the Depressed Classes will be in a hopeless minority. In the second place all decisions of the Constituent Assembly are not required to be by a unanimous vote. A majority vote is enough to decide any question no matter what its constitutional importance is. It is clear that under this system the voice of the Depressed Classes in the Constituent Assembly cannot count. In the third place the present system of proportional representation by which the members to the Constituent Assembly are to be elected under the terms contained in His Majesty's proposals cannot but result in the caste Hindus having virtually the right to nominate the

representatives of the Depressed Classes to the Constituent Assembly. Such representatives of the Depressed Classes will be the tools of the caste Hindus. In the fourth place the Constituent Assembly will be filled with the Congresses who will form the dominant majority party able to carry out its own program. There is no doubt that Mr. Gandhi, whatever may be said about his endeavours in the matter of the social uplift of the Depressed Classes is totally opposed to giving political recognition to the Depressed Classes in the constitution as a separate and distinct element in the national life of India. That being the case the program of the majority party in the Constituent Assembly will be to wipe out the political safeguards already granted to the Depressed Classes in the present constitution.

Anyone who realises what is implied in the Constituent Assembly will admit that His Majesty's Government by their proposals have literally thrown the Depressed Classes to the wolves. It may be said that while there is the Constituent Assembly which may deny constitutional safeguards to the Depressed Classes, His Majesty's Government have been careful to include in their proposals in the provisions for a treaty with the Constituent Assembly the object of which is to secure the interests of the Depressed Classes. This proposal of a treaty is evidently borrowed from the plan adopted by His Majesty's Government for the settlement of the Irish dispute. The proposal regarding the treaty does not say what are the safeguards His Majesty's Government will decide to include in the treaty. This is an important point because there may be a difference of opinion between His Majesty's Government and the Depressed Classes on the nature, number and method of the political safeguards that may be necessary to protect the interests of the Depressed Classes under the new constitution.

The second and equally important question about the treaty is what is going to be the sanction behind the treaty. Will the treaty be a part of the constitution framed by the Constituent Assembly, so that any provision in the constitution, which is repugnant with the treaty, will be *null and void*. Or, will the treaty be just a treaty between the two Governments—the Indian National Government and His Majesty's Government, as any trade treaty. If the treaty is to be of the former kind it will be the law of the land and will have legal sanction of the Indian Government behind it. If, on the other hand, the treaty is to be of the latter kind it is obvious it will not be the law of the land and will have no legal sanction behind it. Its sanction will be a political sanction. Now a treaty cannot override the constitution framed by the national Government for the obvious reason that such a thing, as was found in the case of Irish Free State, is incompatible with Dominion Status. The only sanction behind such a treaty will be a political sanction. It is obvious that the use of such

sanction must depend upon the colour of the Government and the state of public opinion.

Given this fact the questions that arise are two :—(1) What are the means which His Majesty's Government will have at its disposal to enforce the treaty obligations. (2) Secondly, will His Majesty's Government be prepared to use these means to coerce the Indian National Government to abide by the terms of the treaty. With regard to the first question it is obvious that the means for enforcing the treaty are two-fold, use of force and trade war. As to the military force, the Indian army will not be available. It will be entirely transferred to the control of the new Indian National Government. His Majesty's Government will have therefore lost this means of enforcing the treaty. It is impossible to believe that His Majesty's Government will send its own army to compel the National Government to obey the treaty. A trade war is not possible. It is a suicidal policy and the experience of the Irish war with the Irish Free State for the recovery of land annuities shows that a nation of shopkeepers will not sanction it even though it may be for their interest and honour. The treaty therefore is going to be an empty formula if not a cruel joke upon the Depressed Classes. His Majesty's Government has sent out these proposals to be welcomed by Indians. But neither His Majesty's Government nor Sir Stafford Cripps have offered any explanation as to why they are offering to Indians the very proposals which His Majesty's Government have been condemning in scathing terms only a few months ago. A year ago His Majesty's Government said that they would not grant Constituent Assembly because that would be a coercion of the minorities. His Majesty's Government is now prepared to grant Constituent Assembly and to coerce the minorities. A year ago His Majesty's Government said that they will not allow Pakistan because that is Balkanisation of India. Today they are prepared to allow the partition of India. How the Government of a Great Empire lose all sense of principle ? The only explanation is that His Majesty's Government has, as a result of the course of the war, become panic-stricken. The proposals are the result of loss of nerve. How great is the panic that has overtaken His Majesty's Government can be easily seen if one compared the demands made by the Congress and the Muslim League and the concessions made to them by these proposals. The Congress, while it demanded that the constitution should be framed by a Constituent Assembly, did not demand that the question of safeguards for the minorities should be decided by the Constituent Assembly by a mere majority vote. On the other hand when the Viceroy announced that the British Government will not be a party to the coercion of the minorities involved in the demand by the Congress, the Working Committee of the Congress at its meeting at Wardha held on August

22, 1940 passed the following resolution :—

" The committee regrets that although the Congress has never thought in terms of coercing any minority, much less of asking the British Government to do so, the demand for a settlement of a constitution though through a Constituent Assembly of duly elected representatives has been misrepresented as coercion and the issue of minorities has been made into an insuperable barrier to Indians progress." The Working Committee added:— " The Congress had proposed that minority rights should be amply protected by agreement with the elected representatives of the minorities concerned."

This shows that even the Congress did not demand that the decision of minority rights should be included in the purview of the Constituent Assembly. His Majesty's Government has not only given the Congress what it did not ask for but has given them the additional right to decide this minority rights issue by a bare majority vote. With regard to the question of Pakistan, the same attitude is noticeable. The Muslim League did not demand that Pakistan must be conceded immediately. All that the Muslim League had asked for was that at the next revision of the constitution the Musalmans should not be prevented from raising the question of Pakistan. The present proposals have gone a step beyond and distinctly given to the Muslim League the right to create Pakistan. These are constitutional proposals. They are intended to lead India to wage a total war in which Hindus, Musalmans, Depressed Classes and Sikhs are called upon wholeheartedly to participate. Yet Sir Stafford Cripps, either with the consent or without the consent of His Majesty's Government has been making discrimination between major parties and minor parties. The major parties are those whose consent is necessary. Minor parties are those with whom consultation is believed to be enough. This is a new distinction. Certainly it was never made in the prior pronouncements either of His Majesty's Government or of the Viceroy. The pronouncement spoke of the " consent of the principal elements in the national life of India."

So far as the Depressed Classes are concerned I am not aware of any pronouncement in which the Depressed Classes were placed on a lower plane than the one given to the Mussalmans. I quote the following from the speech of Viceroy made in Bombay on January 10, 1941 from which it will be seen that the Depressed Classes were bracketed with the Mussalmans. "There are insistent claims of the minorities. I need refer only to two of them; the great Muslim minority and the Scheduled Classes; there are the guarantees that have been given to the minorities in the past, the fact that their position must be safeguarded and that those guarantees must be honoured."

This invidious distinction now sought to be made is a breach of faith with those minorities whose position has been lowered by this discrimination. From a constitutional point of view it is an obnoxious distinction. From the point of view of total war it is bound to cause more disaffection and disloyalty in the country. It is for the British to consider whether in this attempt to win the friendship of those who have probably already decided to choose other friends they should lose those who are their real friends. The proposals show a sudden *volte face* on the part of His Majesty's Government. The putting forth of those proposals, which were denounced by them as an invasion of minorities' rights, is an indication of their complete surrender of right to might. This is Munich Mentality, the essence of which is to save oneself by sacrificing others. It is this mentality, which is writ large on those proposals. My advice to the British Government is that they should withdraw these proposals. If they cannot fight for right and justice and their plighted word they should better make peace. They can thereby at least save their honour. "

The Marquess of Linlithgow to Mr. Amery

Telegram, MSS. EUR. F. 125123

MOST IMMEDIATE

1 July 1942

PRIVATE AND PERSONAL

No. 1968-S. Your private and personal telegram No. 799 of July 1st. I would prefer (a) to issue announcement in paragraph 4 as a separate announcement, and to accompany it with (b) a communiqué in the following terms :—

Begins. His Majesty the King has been pleased to approve the appointment of Sir C. P. Ramaswami Aiyar, Dr. B. R. Ambedkar, Sir E. C. Benthall, Sir Jogendra Singh, Sir J. P. Srivastava and Sir Mohammed Usman to the Executive Council of the Governor-General of India.

The following appointments to portfolios have been made by the Governor-General:—

As Member in charge of " Information " Sir C. P. Ramaswami Aiyar in succession to the late Right Hon'ble Sir Akbar Hydari.

As Member in charge of " Civil Defence " Sir J. P. Srivastava in succession to the late Dr. Raghavendra Rao.

As Member for " War Transport " and for " Posts and Air " respectively consequent on the appointment of Sir Andrew Clow, late Member in charge of " Communications ", to be Governor of Assam, Sir E. C. Benthall and Sir Mohammed Usman.

As Member for " Defence " Sir Firoz Khan Noon.

To succeed Sir Ramaswami Mudaliar as Commerce Member on his appointment as a Representative of India at the War Cabinet, Mr. N. R. Sarker.

As Member in charge of the Department of Education, Health and Lands in succession to Mr. Sarker, Sir Jogendra Singh.

As Member in charge of the Department of Labour in succession to Sir Firoz Khan Noon, Dr. B. R. Ambedkar.

The Portfolio of His Excellency the Commander-in-Chief will in future be designated the " War " portfolio.

The new Defence Member will be responsible for the work at present discharged by the Defence Co-ordination Department, together with such other matters relating to the defence of India as are not included in the portfolios of " War " and " Civil Defence ". *Ends.*

War Cabinet Paper W.P. (42) 283

LIP & JI81510 : ff 407-16

REPORT ON MISSION TO INDIA

MEMORANDUM BY THE LORD PRIVY SEAL

6 July 1942

I think it is desirable for purposes of official record and for the assistance of any similar Mission to India in future that I should provide a detailed account of the discussions which I had with Indian leaders during my recent visit to India.

(f) The Depressed Classes

I received Dr. Ambedkar and Mr. Rajah as representatives of the Depressed Classes on the 30th March. They pointed out that, under the present system of election of Depressed Class representatives to Provincial Legislatures imposed by the Poona pact, the Depressed Classes would get very small representation in the Constituent Assembly, as most of their so-called representatives would be Congressmen. They asked me whether we considered the Depressed Classes to be one of the racial and religious minorities, and I replied that we did. They then asked what kind of provisions were likely to be made in the Treaty for their protection. I said that these would be on the lines of the League of Nations minority treaties, and that, if there were special provisions in the Constitution, these would probably be repeated in the Treaty, and that there would be some obligation to refer the matter to some outside authority in the event of a dispute, the Government of the Indian Union undertaking to abide by the decision so given. If the Indian Government failed to do so this would constitute a breach of treaty, and the

British Government could take such steps as it considered wise in the particular circumstances. I said that, though this form of protection might seem to them inadequate, it was the only possible one, once granted the principle of self-determination for India.

On the following day Dr. Ambedkar and Mr. Rajah wrote to me saying that the proposals were unacceptable to the Depressed Classes, as they would place them under an unmitigated system of Hindu rule, and would be resisted by them by all the means at their disposal. They requested me to convey their anxieties to His Majesty's Government, and to impress upon them that the Depressed Classes would regard it as a breach of faith if a Constitution were forced upon them by His Majesty's Government which had not received their free and voluntary consent, and did not contain within itself the provisions necessary for safeguarding their interests.

The Marquess of Linlithgow to Mr. Amery

Telegram, MSS. EUR. F. 125 123
IMMEDIATE NEW DELHI, 23rd July 1942, 5-35 p.m.
Received : 23 July, 5-30 p.m.

No. 2169-S. Following from Lumley, dated July 22nd:—

Begins. Ambedkar made a strong speech last night declaring civil disobedience at this time "treachery to India and "playing the enemy's game "and urging all Indians as a patriotic duty " to resist with all the power and resources at their command any attempt on the part of Congress to launch civil disobedience ".

2. He also announced that before he left for Delhi he would issue a statement explaining the line of policy which the Independent Labour Party and other allied organisations *must* follow. He asked his audience (of his followers) to study that statement and implicitly carry out its instructions.
Ends.

The Marquess of Linlithgow to Mr. Amery

Telegram, MSS. EUR. F. 125 123

IMMEDIATE

24 October 1942

No. 47-Q.C. My telegram No. 46-Q.C.

(a) Following is telegram received from Members of Council.—

Begins. We have read with considerable surprise the statement said to have been made by the Secretary of State in House of Commons that "the

present European members were being retained merely because of difficulty in finding suitable Indians for posts ". If the Secretary of State has been correctly reported we beg to dissociate ourselves wholly with the position taken up by him. In our considered opinion there is no difficulty whatsoever in finding suitable Indians for any positions in Government of India and we have to remind the Secretary of State that if Congress and the Muslim League had accepted the Cripps' proposals there would have been at the Centre today a wholly Indian Government with very wide powers. We have to add that statement in question is entirely at variance with facts and constitutes an affront to Indians and we have to request Your Excellency to communicate these our views to the Secretary of State. We also desire in this place to call attention to the Secretary of State's declaration that he was not prepared in the present circumstances to permit interviews with Congress leaders and to enquire where the members of the Government of India come in on this policy and whether they have any say in it. In this connection Lord Simon's statement in which he describes members of the Government as advisers seems significant. We would not have troubled Your Excellency with this communication while you are on tour but we feel very strongly our position has been rendered extremely difficult by declaration of this character. *Ends.*

Above telegram is from Mody, Sultan Ahmed, Aney, Sarker, Ambedkar, Srivastava, Jogendra Singh.

Dr. Ambedkar to the Marquess of Linlithgow

MSS. EUR. F. 125 1 124

NEW DELHI, 29 October 1942

My dear Lord Linlithgow,

In the course of my second weekly interview with you I told you that the position of the Scheduled Castes was very unsatisfactory and that the Central Government had not done what I thought it was bound to do for their treatment. On that you very kindly asked me prepare a Memorandum for your consideration containing the grievances of the Scheduled Castes and the remedies for removing them. All this of course must be within your recollection. Indeed it is you who reminded me several times since then if the Memorandum was ready. Unfortunately owing to the heavy pressure of work, which fell on me since I took charge, I could not give to the work of preparing the Memorandum the priority which I should have liked to give to it. I am, however, happy that at last I have been able to submit it for your consideration.

2. The Memorandum unfortunately has become a very lengthy document. I had a choice between making the Memorandum a short one containing bare recital of the grievances and the remedies to remove the same or to make it an exhaustive one containing not only the grievances and the remedies but also the reasoning in support of the remedies suggested. I have chosen the latter alternative. In doing so I have had to bear in mind the fact that the grievances set out in the Memorandum and the remedies suggested for their removal will go to different Departments for their opinion, and unless the Memorandum contained the reasons, the remedies can have very little chance of being accepted.

3. For Convenience I am setting out below in bare outline the grievances and the remedies which are included in the accompanying Memorandum :—

I. Political Grievances :-		Pages
1	More representation in the Central Legislature	5-9
2	More representation in the Central Executive	9-10
3	Assurance of fair representation in the Public Services	
	(i) By declaring the Scheduled Castes as a minority and	10-21

4. I give this Summary because I quite realise that it will not be possible for you to find the time necessary to go through the whole of it. I wish you could find time to read the whole of the Memorandum. But if you cannot read the whole, I would request you at least to read Part IV (pages 32-36) of this Memorandum. In that Part of the Memorandum I have instituted a comparison between the condition of the Scheduled Castes and the Anglo-Indians and the efforts made for the betterment of the latter. I request you to read it because I feel sure that by its perusal you will see how just and modest are the demands I have made and what the Government of India has done for the elevation of a class not more unfortunate than the Scheduled Castes.

5. I need not say that I hope the grievances of the Scheduled Castes will be remedied before you go. Believe me, I have read with genuine sorrow that you will be quitting your office in April next. I have no idea who is going to be your successor and what attitude he will adopt towards the Scheduled Castes. In you I have learnt to place great confidence as the benefactor of the Scheduled Castes. You have done the greatest deed towards them by giving them a place in your Executive Council. It is a most revolutionary act for which there can be no parallel in India's history. I have no doubt and no member of the Scheduled Castes has any doubt that if you knew the grievances of the Scheduled Castes you would never hesitate to set them right. It is from this point of view that I say that I am happy to have to seek justice for my people from one who knows that justice is due to them. I know

you have the will to do it and that you will not like to leave it to your successor to do what you wish to do, and what you can do. I need hardly say that for this act of justice myself and the 50 millions of the Scheduled Castes will ever remain grateful to you.

Yours Sincerely,
B. R. AMBEDKAR

Precis of Discussion in the Viceroy's Executive Council

Enclosure to No. 298

December 1942

The Viceroy explained at the outset that the discussion was necessarily on an informal basis and without prejudice to existing constitutional arrangements, and then examined briefly and objectively the three directions in which he understood in advance to be desired— (a) The complete Indianisation of his Council; (b) The elimination or reduction of the powers of control and interference of the Secretary of State; and (c) Mitigation of the purely official nature of the administration in the Section 93 Provinces. The general discussion was then opened.

Dr. Ambedkar (Member for Labour) was opposed to any change unless it was in accordance with the Declaration of August 1940* (providing for consultation with important minorities). Subject to that, he was in favour of change, since what was needed was a strong Government, i.e. one with public opinion behind it. In the Provinces, ministerial government was best, even if merely a minority ministry. An Executive Council would be better than advisers. As for the Centre, Indianisation by itself would not placate Congress and might merely irritate them; and were Non-Congress elements worth placating ? Before Indianisation took place the communal composition of the Council must be settled, and that by Indians themselves. Congress had shirked this problem; they had not the will to solve it. His suggestion was to take the Cripps proposals as a basis and try for a national Government composed of Congress, the Moslem League, Depressed Classes, Sikhs and Christians. The Indian members of Council ought to sit down and prepare a scheme for communal representation. Though he preferred an autocratic Viceroy to a distant Secretary of State, he would not press for interference with the Secretary of State's powers.

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Field Marshal Viscount Wavell to Mr. Amery

Telegram, UP & J181522 : F 198

IMMEDIATE

NEW DELHI, 7 June 1945, 7-55 p.m.

Received : 7 June, 10 p.m.

970-S. Superintendent series. Ambedkar Srivastava and Khare have this morning submitted joint note protesting against proposed equality for caste Hindus and Moslems and asserting that the proposals approved by His Majesty's Government are unfair both to Hindus and to the Scheduled Castes. They consider that caste Hindus should have a majority over Moslems and that Scheduled Castes should have more than one member. They ask that their views be communicated to His Majesty's Government.

2. The short answer is that the proposals approved by His Majesty's Government are for an interim arrangement only and that the main object at present is to get the parties to work together. I see no reason to modify views already expressed in my official telegrams.

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Dr. Ambedkar to Field Marshal Viscount Wavell

Wavell Papers, Political Series, April 1944-July 1945 Pt. I, pp. 207-9

NEW DELHI, 7 June 1945

Dear Lord Wavell,

I am grateful to you for asking me in my capacity as the leader of the Scheduled Castes to be a member of the Conference which you propose to call in furtherance of your proposal for the Indianisation of the Executive Council. I told you, for reasons, which I need not repeat here, that I am unable to accept your offer. Thereupon you desired me to name a substitute. Though I have expressed my disapproval with your proposals, I do not wish to deny you such help as you may derive from the presence of a Scheduled Caste representative in your Conference. I am, therefore, prepared to suggest a substitute. Judging on the suitability of various names that occur to me, I cannot think of any other name than that of Rao Bahadur N. Siva Raj., B.A., B.L. He is the President of the All-India Scheduled Castes Federation and is also a member of the Central Legislative Assembly and of the National Defence Council. If you like you may invite him to the conference as a representative of the Scheduled Castes. 2. There is one other matter to which I feel I must draw your attention right now. It relates to the extreme inadequacy of the representation given to the Scheduled Castes in His Majesty's Government's proposals for the reconstitution of the Executive Council. Five seats to 90 millions of Muslims, one seat to 50 millions of Untouchables and 1 seat to 6 millions of Sikhs is a strange and sinister kind of political arithmetic which is revolting to my ideas of justice and common

sense. I cannot be a party to it. Measured by their needs, the Untouchables should get as much representation as the Muslims, if not more. Leaving needs aside and taking only numbers the Untouchables should get at least three. Instead, they are offered just one in a Council of fifteen. This is an intolerable position.

This is a matter to which I drew your attention at the meeting of the Executive Council held on the 5th June when you explained His Majesty's Government's proposals to the Council. At the meeting of the 6th morning you replied to the criticisms offered by Members of Council the previous evening on the merits of the proposals. I naturally expected that you would also deal with the point I had raised. But to my great surprise you completely ignored it and made no reference to it whatever. It could not be that I was not emphatic enough. For I was more than emphatic. The conclusion I draw from your omission to refer to it is that either you did not think the matter to be of sufficient importance to deserve your notice or that you thought that I had no intention beyond lodging a protest. It is to remove this impression and to tell you in quite unmistakable terms that I propose to take definite action should His Majesty's Government fail to redress the wrong that I feel the necessity of writing this letter.

I would not have felt as hurt as I do if such a proposal had come from the Congress or the Hindu Mahasabha. But it is a decision by His Majesty's Government. Even the general Hindu opinion is in favour of increased representation to the Scheduled Castes both in the Legislature and in the Executive. To take the proposals of the Sapru Committee as an indication of general Hindu opinion, the proposal of His Majesty's Government must be admitted to be retrograde. For, this is what the Sapru Committee has said:—

" the representation given to the Sikhs and Scheduled Castes in the Government of India Act is manifestly inadequate and unjust and should be substantially raised. The quantum of increased representation to be given to them should be left to the Constitution-making Body.

" Subject to the provisions of clause (b) the executive of the Union shall be a composite cabinet in the sense that the following communities shall be represented on it, *viz.*— (i) Hindus, other than Scheduled Castes.

(ii) Muslims. (iii) Scheduled Castes. (iv) Sikhs. (v) Indian Christians. (vi) Anglo-Indians.

" (b) The representation of these communities in the executive shall be, as far as possible, a reflection of their strength in the Legislature. "

I may add that two of my Hindu colleagues in the Executive Council have in the memorandum they have presented to you this morning expressed that the representation given to the Scheduled Castes in His Majesty's Government's

proposals is inadequate and unfair. What shocks me [is] that His Majesty's Government with all their profession of being trustees for the Scheduled Castes and contrary to their repeated declarations should have treated their wards in such an ill-liberal, unfair and unjust manner and far worse than enlightened Hindu opinion would have done I feel it, therefore, my bounden and sacred duty to oppose the proposal by every means at my command. The proposal means a deathknell to the Untouchables and will have the effect of liquidating their efforts over the last 50 years for their emancipation. If His Majesty's Government notwithstanding its many pronouncements wish to hand over the fate of the Untouchables to the tender mercies of Hindu-Muslim combine, His Majesty's Government may well do it. But I cannot be a party to the suppression of my people. The conclusion to which I have come is to ask His Majesty's Government to redress the wrong and to give to the Untouchables at least 3 seats in the new Executive Council. If His Majesty's Government is not prepared to grant this, then His Majesty's Government should know that I cannot be a member of the newly constituted Executive Council, even if I was offered a place in it. The Untouchables have been looking forward to a full recognition of their political rights for some time past. I have no doubt that they will be stunned by the decision of His Majesty's Government. And I would not be surprised if the whole of the Scheduled Castes decided as a matter of protest not to have anything to do with the new Government. I am sure their disillusionment will bring about a parting of the ways. This is what I anticipate will be the result of His Majesty's Government's proposals, if they are not revised. So far as I myself am concerned, my decision is made. I may be told that this is not the final shape of things. This is only an interim arrangement. I have been long enough in politics to know concessions and adjustments more [once] made grows into vested rights and how wrong settlements once agreed upon become precedents for future settlement. I cannot therefore allow grass to grow under my feet. If I have capacity to judge aright, I visualise that the distribution of seats though it begins as a temporary arrangement will end by becoming permanent. Rather than be left to regret towards the end, I feel I must lodge my protest against it at the very beginning.

It may well be that His Majesty's Government may not mind my eclipse and even the eclipse of the Scheduled Castes from the future Government of India : nor regret the consequent parting of the ways between the British Government in this country and the Scheduled Castes. But I believe it is only fair that His Majesty's Government should know what I have to say about the subject. I have therefore to request you to communicate to His Majesty's Government my proposal for increase in the representation of the Scheduled

Castes in the executive Council and the course of action I propose to take if the proposal is rejected by them.

I am,
Yours sincerely,
B. R. AMBEDKAR

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Field Marshal Viscount Wavell to Lord Pethick-Lawrence

LIPOI 10122